

Docket No.: PF173D1
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Ni et al

Application No.: 09/340,690

Group Art Unit: 1646

Filed: June 29, 1999

Examiner: E. Kemmerer

For: Human Tumor Necrosis Factor Receptor-Like 2

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9/25/03

FOURTH SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENTS

Commissioner for Patents
Washington, DC 20231

Dear Sir:

In accordance with the duty of disclosure imposed by 37 C.F.R. § 1.56 to inform the Patent and Trademark Office of all references coming to the attention of each individual associated with the filing or prosecution of the subject application, which are or may be material to the patentability of a claim of the subject application, Attorneys for Applicants hereby direct the Examiner's attention to references AC-AD listed on the attached Form PTO/SB/08. A copy of reference AD is enclosed. A copy of EP 0 822 984 (Reference AC) is not enclosed as it is equivalent to International Publication WO 96/34095 (Reference AA) which was previously submitted together with the Third Supplemental Information Disclosure Statement filed March 31, 2003, in the present application.

The above information is presented so that the Patent and Trademark Office can determine any materiality thereof to the claimed invention. See 37 CFR § 1.104(a) concerning the PTO duty to consider and use any such information. It is respectfully requested that the information be considered during the prosecution of this application.

Identification of the listed reference(s) is not to be construed as an admission of any individual associated with the filing or prosecution of the subject application that such references are available as "prior art" against the subject application. Furthermore, Applicants

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do not waive any rights to appropriate action to establish patentability over any of the listed documents should they be applied as references against the claims of the subject application.

Applicants respectfully request that the Examiner review the listed reference(s) and that the reference(s) be made of record in the file history of the application.

Pursuant to 37 C.F.R. § 1.97(d), the Patent Office will consider this Fourth Supplemental Information Disclosure Statement if filed after the mailing date of a final Office Action under §1.113, a notice of allowance under §1.311, or an action that otherwise closes prosecution in this application provided that it is filed on or before payment of the issue fee and if accompanied by a Statement as specified in § 1.97(e) and the fee as specified in § 1.17(p).

Accordingly, the undersigned certifies pursuant to 37 C.F.R. § 1.97(e)(1) that each item of information contained in this Fourth Supplemental Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to the filing of this Fourth Supplemental Information Disclosure Statement. In particular, the listed reference(s) was cited in a European Search Report (reference AD) mailed June 2, 2003, in connection with a corresponding international application. The required fee of \$180.00 is also transmitted herewith with the concurrently filed Fee Transmittal, with the appropriate fee(s).

No additional fee is believed due in connection with this submission. However, should the Patent & Trademark Office determine otherwise, please charge such fee to our Deposit Account No. 08-3425.

Dated: June 30, 2003

Respectfully submitted,

By 

Kenley K. Hoover

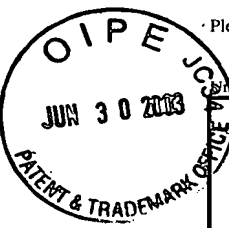
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)				Complete if Known	
				Application Number	09/340,690
				Filing Date	June 29, 1999
				First Named Inventor	Ni, <i>et al.</i>
				Group Art Unit	1646
Examiner Name	Kemmerer, E.				
Attorney Docket Number	PF73D1				
Sheet	1	of	1		

U.S. PATENT DOCUMENTS						
Examiner Initials	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ² (if known)			

FOREIGN PATENT DOCUMENTS								
Examiner Initials ²	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Office ³	Number ⁴	Kind Code ⁵ (if known)				
	AC	EP	0 822 984	A	Human Genome Sciences, Inc.	02/11/1998		

OTHER REFERENCES - NON PATENT LITERATURE DOCUMENTS					
Examiner Initials	Cite No. 1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.			T6
	AD	European Supplementary Partial European Search Report, Application No. EP 96 94 2776, dated June 2, 2003.			

Examiner Signature		Date Considered	
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Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIP Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.